

RECEIVED
CENTRAL FAX CENTER

JUN 11 2007

Application No. 10/529,659
Attorney Docket No. A3-072 USREMARKS

In the Office Action mailed February 9, 2007, a new ground of rejection is made, the Examiner rejecting claims 1-5 under 35 U.S.C. § 103(a) by the combination of U.S. Patent No. 6,394,843 (Chang, et al.) in view of U.S. Patent No. 5,013,255 (Juret).

Claim 6 is objected to but indicated as allowable if amended into independent form with all features of claims 1, 4 and 5 being recited in claim 6. This has been done, and it is understood claim 6 is allowable. In addition, new claim 7 is presented. This combines all of the features of claims 1, 4 and 6. It is respectfully believed that new claim 7 also is allowable since it is the same as presently amended allowable claim 6 without specifying the location at which metal securing nail is fixed to the housing. Also, new claim 8 is presented. This combines all of the features of claims 1 and original claim 6, together with the recitation of the claim 4 feature of having a metal securing nail fixed to the insulated housing, thereby providing precise antecedent basis for the features of original claim 6, which is the claim indicated as allowable in the present Office Action.

The allowance of each of independent claims 6, 7 and 8 is respectfully believed to be in order, and a favorable indication in this regard is respectfully requested.

Entry of this paper under Rule 116 is respectfully urged inasmuch as the amendment to claim 6 is as suggested in the present Office Action, and new claims 7 and 8 are presented in view of the indication for the first time in the present Office Action that the subject matter of claim 6 is allowable and in view of the wording of the Allowable Subject Matter section of the present Office Action, not in any previous Office Action. Accordingly, the present Amendment (including claim 1 amendment discussed below) is responsive to matters newly submitted in this Office Action. Alternatively, the present paper places all of the claims of the application into allowable form, or at the very least into better condition for appeal matters. Alternatively, withdrawal of the finality of the present Office Action is respectfully requested.

The amendment to claim 1, discussed below, also was not earlier presented because it is responsive to matters raised in the present Office Action for the first time in view of newly cited Juret and the argument in the present Office Action that this clearance is merely a change of size and thus not supportive of unobviousness in view of case law relied on in the present Office

Application No. 10/529,659
Attorney Docket No. A3-072 US

Action. Applicants were not able to earlier respond to this new basis for rejection, which is focused on a feature in claim 1 as originally filed. Entry under Rule 116 is respectfully requested.

As amended, applicants' claim 1 continues to be directed to a memory card connector that includes an insulating housing with a rear terminal-mounting section and at least one side wall section extending forwardly from one end of the rear section. The side wall section includes top and bottom surfaces. The top surface is configured for mounting on a circuit board and the top surface is opposite the bottom surface. An engaging projection on the top surface extends into an engaging opening in the cover plate of the metal shell of the memory card connector to prevent relative movement between the cover plate and the top surface. In addition, presently amended claim 1 more particularly recites that a clearance is provided between the engaging projection and the engaging opening to avoid creating residual stresses in the housing, especially during processing and thermal cycling of the claimed connector.

The Examiner relies upon Chang, et al., to support the § 103(a) rejection while recognizing that Chang does not teach the engaging projection and opening being on the top surface. Thus the Office newly cites Juret to address this deficiency. However, Juret merely teaches that the upper and lower frames "are held by bosses 109" forming the card-receiving slot between the frames. See particularly lines 55-58 of column 2 of Juret. As the Office recognizes, neither Juret nor Chang teaches applicants' claimed clearance between the perimeter of the engaging projection (indicated by the Office as being the boss 109 of Juret or the locking member 27 of Chang) and the respective perimeter of the engaging hole (shown in some drawings but not even referred to in Juret or the locking hole 17 of Chang). Therefore, even if it were proper to obviously combine Juret with Chang to remove the deficiency of Chang with respect to the positioning of an engaging projection and opening, the clearance feature would not be taught.

Without citing art in support, the Office instead asserts providing the clearance claimed in claim 1 because it "is known in the art to change size" of a hole or the engaging member. The Office offers no motivation to the ordinarily skilled artisan to provide a clearance in the particular structure claimed by applicants. After all, the locking member 27 and locking hole 17 of Chang are configured to lock the shell in place and thus, likely create the type of stress that

Application No. 10/529,659
Attorney Docket No. A3-072 US

applicants are attempting to avoid. Juret's lack of any teaching of a clearance around its bosses 109 after assembly cannot be used as a teaching to provide clearance to avoid stresses. In fact, viewing the Juret drawings and the non-detailed and offhand disclosure by Juret of its bosses 109 (and the holes into which they are inserted—which are not even called out specifically by Juret) shows clearance to avoid stresses was not even of any concern to Juret. For the foregoing reasons alone, the combination of Chang and Juret does not obviously lead to applicants' claim 1 invention.

The Office cites CCPA case law in an effort to bolster its argument that a clearance feature in the context of applicants' claim 1 would have been obvious, stating that a "change in size is generally recognized as being within the level of ordinary skill in the art. Applicants accordingly briefly discuss the two CCPA decisions cited by the Office.

In re Rose, 105 USPQ 237 (CCPA 1955) concerned lumber storing, and the appealed claim recited that a package "is of appreciable size and weight so as to require handling by a lift truck" whereas the prior art concerned packages that could be lifted by hand. While this may be a difference in size of the respective packages (as the CCPA indicated), this is not of any significance to enhanced performance, such as applicants' claimed clearance to avoid stresses in a minaturized assembly. In other words, applicants claim a feature that goes beyond a mere difference in size in accordance with the holding of *Rose*.

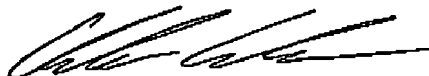
In re Dailey, 149 USPQ 47 (CCPA 1976) concerned a baby nursing container. The claim required the top and bottom portions of the container be "a portion of a sphere that is less than a hemisphere", and the CCPA agreed with the Board that this "less than a hemisphere" configuration is a "mere matter of choice" of configuration of the container. *Dailey* is, applicants assert, even farther afield than *Rose* in supporting obviousness to providing a clearance—not shown in any cited art—to avoid stresses in a minaturized assembly when the clearance is between parts that hold the assembly together. Accordingly, applicants respectfully request withdrawal of the § 103(a) rejection of claim 1. In addition, since claims 2-5 depend from claim 1, and neither Chang nor Juret support a § 103(a) rejection of those claims either.

Applicants respectfully submit that each of the pending claims is unobvious over the cited art and respectfully requests withdrawal of each of the rejections and allowance of each claim.

Application No. 10/529,659
Attorney Docket No. A3-072 US

Should the Examiner believe that a telephone conversation would facilitate the prosecution of the application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,
MOLEX INCORPORATED



Charles S. Cohen
Registration No. 32,210
MOLEX INCORPORATED
2222 Wellington Court
Lisle, Illinois 60532
Tel.: (630) 527-4660
Fax.: (630) 416-4962

Date: June 11, 2007